

FILED

00 AUG -7 AM 9:20

CLERK OF DISTRICT COURT
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

JEFFREY R. FINIGAN (CASBN 168285)
Assistant U.S. Attorney

450 Golden Gate Avenue
San Francisco, California 94102
Telephone: (415) 436-7232
Facsimile: (415) 436-7234
Email: jeffrey.finigan@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

HENRY ROBERT JEAN LEGER,

Defendant.

CRIMINAL NO. 3 08 70501 BZ

STIPULATION TO CONTINUE
OUT-OF-DISTRICT APPEARANCE
DATE AND TO EXCLUDE TIME

The above-captioned matter came before the Court on August 4, 2008, for initial appearance on an indictment from the Southern District of Florida, Case No. 02-02886. The Federal Public Defender was appointed to represent the defendant. The government is represented by Jeffrey Finigan, Assistant United States Attorney.

The defendant admitted his identity, was released on bond, and was ordered to appear on August 18, 2008, at the U.S. Marshall's Office located at 301 North Miami Ave., 2nd Floor, Miami, FL, 33132, at 10:00 a.m. for processing, and before Magistrate John O'Sullivan in the same building at 1:30 p.m. for initial appearance.

The parties have engaged in preliminary discussions related to resolving the matter via FRCP 20. Accordingly, the parties are determining the scope of discovery and the best manner

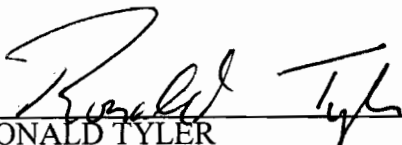
1 to provide it to defense counsel, Ronald Tyler. In order to facilitate this process and for Mr.
2 Tyler to effectively represent the defendant, the parties respectfully request that this Court issue
3 the order contained herein setting a later date for the defendant to appear in Florida. The parties
4 also respectfully request that the Court exclude time.

5 The parties hereby agree to and request that the Court amend its Order Setting Conditions
6 of Release to reflect that the defendant is ordered to appear in Miami on September 24, 2008.

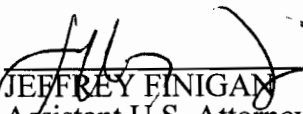
7 All other previously stated conditions remain as previously set forth. The parties further agree
8 that an exclusion of time from and including August 4, 2008, through and including September
9 24, 2008, should be granted. The parties agree and stipulate that the additional time is
10 appropriate and necessary under Title 18, United States Code, § 3161(h)(8)(A), because the ends
11 of justice served by this continuance outweigh the best interest of the public and the defendant in
12 a speedy trial. This time exclusion will allow counsel to effectively prepare, taking into account
13 the exercise of due diligence, and will provide for continuity of counsel for the defendant.

14 By signing this Stipulation and Order, Mr. Tyler represents that he has communicated the
15 conditions set forth herein to the defendant and his wife, and that they have agreed to abide by
16 the modification herein.

17
18 DATED: 8/6/08



RONALD TYLER
Counsel for Henry Leget

19
20
21 DATED: 8-6-08


JEFFREY FINIGAN
Assistant U.S. Attorney

22
23 So ordered.

24 DATED: 6 Aug 08


BERNARD ZIMMERMAN
UNITED STATES MAGISTRATE JUDGE

25
26
27
28